

May 21, 1981

LB 317

CLERK. Mr. President, I understand Senator Chronister wishes to withdraw his motion on 529.

SENATOR NICHOL: Is that correct Senator Chronister?

SENATOR CHRONISTER: Yes, Mr. Speaker, I ask unanimous consent to withdraw my motion.

SENATOR NICHOL: Any objection? It is withdrawn. We will move on to LB 317.

CLERK: Mr. President, Senator Koch would move that LB 317 become law notwithstanding the objections of the Governor.

SENATOR NICHOL: Senator Koch.

SENATOR KOCH: Mr. Chairman, members of the body, we have a handout coming out on 317. The purpose of that handout is to try to correct some, I think, misunderstandings on the part of the Legislature. I want to explain to you what 317 does. We have mental retardation regions and they are specifically charged with providing residential care for handicapped people. However, the retardation districts or regions have been very selective about the types of people they are willing to consider. Since we place the burden of education of the handicapped upon the public schools in 403, we also placed the burden of the handicapped residential care upon the public schools. A year ago we passed the coordinating commission for agencies that work with handicapped so they should work together. This is an additional step which would state very clearly that if there is a youngster who is being provided education by a school system and if the appropriate residential setting can be provided for by the mental retardation region, then that would be the case. That is where that child would reside because they have the staff and they have the facilities. An example I bring to mind, and the Education Committee knows this because we went through this, out in central Nebraska there is a school system who has a child that they are educating. However, even though they selected and with the parents consent that the region there would provide residential care, the region refused. As a result of that that school system has had to pick up a cost in excess of \$260,000 in terms of the resident, the auxiliary help that is needed for the 24 hour care of this child except for when the education process is being carried out. So, when you look at the A bill which is \$373,000, that A bill is not new money in reality. That